



**U.S. Department of Justice**

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Via Email

April 16, 2024

Hon. Leo M. Gordon  
United States District Court  
District of New Jersey  
2 Federal Square  
Newark, NJ 07102

Re: *State of New Jersey v. U.S. Dep't of Transp.*, No. 23-3885 (D.N.J.) (LNG-LDW)

Dear Judge Gordon,

As requested by the Court, Federal Defendants write to provide their suggested corrections to the transcripts of the April 3 and 4, 2024 oral argument in this matter. Federal Defendants make their suggestions mindful that an errata should “not [ ] modify what the [speaker] said for tactical reasons or to reflect what he wishes that he had said.” *Bartos v. Pennsylvania*, 2010 WL 1657284, at \*6 (E.D. Pa. April 23, 2010); *see also E.I. du Pont de Nemours and Co. v. Kolon Indus., Inc.*, 277 F.R.D. 286, 297 (E.D. Va. 2011) (“transcriptional or typographical errors are the only types of corrections permitted” via an errata). Plaintiff and Intervenor-Defendants have no objection to the proposed corrections listed below.

April 3, 2024 Transcript

- 41:5—change “There is – there is” to “That it is”
- 131:2—change “CTS” to “CEQ”
- 133:21—22 change “there’re – there’re Federal has some” to “there’s some federalism”
- 183:10—12 add quotations before “nor” and after “NEPA”
- 255:6—change “consistency” to “consistently”

April 4, 2024 Transcript

- 37:18—change “in an” to “and”
- 185:23—change “Highway’s” to “Highways”
- 187:17—change “conforming plan in TIP” to “conforming plan and TIP”
- 187:18—change “Transportation Improvement Plan” to “Transportation Improvement Program”
- 187:97—change “conforming plan in TIP” to “conforming plan and TIP”
- 188:22—change “Transportation Improvement Plan” to “Transportation Improvement Program”

*State of New Jersey v. U.S. Dep't of Transp.*

- 188:25—change “Transportation Improvement Plan” to “Transportation Improvement Program”
- 191:2—change “Highway” to “Highways”
- 191:11—change “Highway” to “Highways”
- 213:23—change “cited’ to “sited”
- 214:23—change “Highway’s” to “Highways”

Respectfully submitted,

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